



DECISION MEMO

Pig Foot Sanitation Salvage Project USDA Forest Service, Northern Region



Nez Perce-Clearwater National Forest, Salmon River Ranger District *Idaho County, Idaho*

I. Background

The Salmon River Ranger District of the Nez Perce-Clearwater National Forest is proposing use of ground-based mechanical harvesting to treat 165 acres to control the spread of mountain pine beetle, reduce long term risk of hazardous fuels conditions, and recover economic value prior to entire stand mortality and deterioration, located in the vicinity of Pig Foot Springs along Forest Road 243 (Free Use Road) on the Salmon River Ranger District, Nez-Perce-Clearwater National Forests, Idaho County, Idaho at T28N, R3E, Sections 26, 27, 28, 34, and 35 Boise Meridian (see attached maps).



The project area contains mature, mixed conifer stands, with lodgepole pine the primary tree species (90%). Due to age class (100+ years) and dense stocking levels (120-200 sq. ft. of basal area), mortality from mountain pine beetle in the lodgepole pine is moderate and increasing, and mortality in some scattered ponderosa pine is light. Broad-scale beetle activity is occurring in areas directly adjacent to the project area. Dwarf mistletoe infection in the lodgepole pine is increasing on the western side of the project area, endangering adjacent plantations. Dwarf mistletoe infection in western larch is minor in some areas. Firewood removal is occurring along roads within the project area.

With advancing forest succession and fire suppression, seral lodgepole pine and western larch have declined, while shade-tolerant tree species have increased. Seedling and sapling structural stages have been reduced by 88%, while medium and large tree stages have increased by 37% over historic conditions. Given present conditions, complete lodgepole pine mortality is expected in less than five years. Understory tree species are scattered, and understory shrubs/forbs are low-growing.

The Salmon River Ranger District initiated public scoping including formal notification to the Nez Perce Tribal Executive Committee on October 25, 2011.

II. Purpose and Need



Purpose (Desired Condition): The purpose of this action is to:

- ✓ Control the spread of mountain pine beetle;
- ✓ Reduce long term risk of hazardous fuels conditions; and
- ✓ Recover economic value prior to complete stand mortality and collapse.

Forest-wide management direction in the Nez Perce National Forest Plan related to this project can be found on pages II-1 to II-27 (USDA Forest Service, 1987). The management area direction for Management Area (MA)

12 may also apply to this project. This management area provides direction to manage for timber production and other multiple uses on a sustained yield basis, develop equal distribution of age classes to optimize sustained timber production, and manage at levels and intensities consistent with the schedules described in the Forest Plan to provide for other multiple uses and resources (p. III-37).

- Forest-wide goal #1, Page II-1: Provide a sustained yield of resource outputs at a level that will help support the economic structure of local communities and provide for regional and national needs.
- Forest-wide goal #14, Page II-2: Protect resource values through the practice of integrated pest management.

- Forest-wide objectives for forest protection, Page II-8: Actions to reduce timber losses due to insects and diseases will be implemented when compatible with overall management direction. Control actions will generally be aimed at reducing the risk of infestations through silvicultural treatments in high- and moderate-risk stands. Specifically, for mountain pine beetles, a combination of silvicultural practices and direct control methods will be used to prevent infestations and reduce impacts on other resources.
- Forest-wide standards for forest protection, Page II-26: Minimize the impacts of the mountain pine beetle and other insect and disease infestations to the extent necessary to achieve the overall goals and objectives of this Forest Plan. Control insect and disease infestations through the application of Integrated Pest Management principles. Undertake hazard reduction treatments if activity-created fuels exceed 12 tons per acre of materials less than 3 inches in diameter.
- Management Area (MA) 12 direction, Page III-37: Manage for timber production and other multiple uses on a sustained-yield basis. The proposed cutting units are on lands classified as suitable for timber management in MA 12 under the Forest Plan.



Need (Existing Condition):

Over the past 3-7 years the forest has observed rapid expansion of the occurrence insect and disease mortality. Existing stand conditions within the project area exhibit an elevated risk of Mountain Pine beetle due to age class and stocking levels. Existing beetle activity is rapidly expanding throughout the project area and ongoing mortality is extensive within the vicinity of the proposed project. Given the present conditions it is expected that stand health will continue to decline until a disturbance event

reinitiates natural regeneration.

III. Decision

I have decided to approve implementation of the Pig Foot Sanitation Salvage Project using ground-based mechanical harvesting and commercial utilization of woody material to treat 165 acres dead and dying Lodgepole pine. Residual overstory species (western larch, ponderosa pine and Douglas-fir) would be retained to provide opportunities for natural regeneration, structural diversity and snag recruitment. Snags would be left on site as required including any available material needed for long term nutrient cycling, coarse woody debris, or habitat diversity. Trees would be yarded whole,

and remaining activity slash would be burned. Stand openings up to five acres may be created and would be allowed naturally regenerate.

Up to ½ mile of temporary road would be constructed to facilitate access to the area, and would be obliterated upon project completion. Approximately one mile of road currently open to motorized use would be reconditioned, and then reestablished to its former use as an ATV trail following project activities. Pending decision this project would likely be implemented during the fall of 2013 with an estimated completion date of approximately one year. Additionally, the following criteria also apply to this action:

Design Criteria

The Pig Foot Sanitation Salvage Project includes design criteria identified below to minimize effects to water quality, fisheries, soils, wildlife, recreation and noxious weeds. These items are not all-inclusive, as the regional and Forest Plan standards are incorporated by reference (USDA Forest Service 1987, as amended).

- No harvest would occur within the boundaries of riparian habitat conservation areas (RHCAs or PACFISH buffers).
- This project would meet regional snag guidelines and down woody debris requirements.
- No changes in current access restrictions are proposed.
- To prevent noxious weed spread, equipment would be cleaned prior to entering Forest Service system lands.

Monitoring

The Pigfoot Sanitation Salvage project includes effectiveness monitoring identified below.

Effectiveness Monitoring

Responsibility: Forest noxious weeds and soils specialists will monitor for BMP effectiveness.

IV. Rationale for Decision and Reasons for Categorically Excluding the Decision

A. Category of Exclusion and Rationale for Using the Category

Based on information in this document and the project record, I have determined that no extraordinary circumstances affecting resource conditions exist (36 CFR 220.6), that this project may be categorically excluded from documentation in an EA or EIS, and that it meets all the criteria outlined for 36 CFR 220.6(e)(13) Salvage of dead and/or dying trees not to exceed 250 acres, requiring no more than ½ mile of temporary road construction.

The rationale for my decision is based on: 1) the proposed action fully meeting the criteria for Categorical Exclusions, 2) the proposed action meeting the purpose and need, 3) the findings related to extraordinary circumstances, discussed below, 4) the project's consistency with laws and regulations, including the Forest Plan, 5) the on-the-ground review and discussion with district resource specialists, and 6) my review of the Biological Assessments (BA), Biological Evaluations (BE), and specialists' reports.

B. Finding No Extraordinary Circumstances

Based on the findings for resource conditions described below, I have determined that no extraordinary circumstances are associated with my decision. Forest Service direction at 36 CFR 220.6(b) describes the resource conditions that should be considered in determining whether extraordinary circumstance related to the proposed action warrant further analysis and documentation in an EIS or EA.

Additionally, 36 CFR 220.6 (b) states “The mere presence of one of more of these resource conditions does not preclude use of a categorical exclusion. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and is such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist.”

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species:

With the exception of Lynx addressed separately below, the Interdisciplinary Team (ID Team) determined the proposed actions would have no direct or indirect effect or impact on listed or sensitive plant, wildlife, or fish species or habitat, and suitable habitat would not be altered because habitat is not present in the project area, habitat is present but the species do not occur in the project area, or habitat is present and the species may occur, but the project would not affect the habitat for the species, and therefore no incremental effects exist that would cause a cumulative effect, as documented in the Biological Assessments and Evaluations, and specialists’ reports (see plant, wildlife, and fish sections of the project record).

Lynx

The Wildlife Biologist determined the proposed action is “Not Likely to Adversely to Affect” transient Canada lynx and/or its habitat.. Therefore, no extraordinary effects to wildlife or habitat were identified. This determination is based on:

1. All objectives, standards and guidelines in the 2007 NRLMD would be met.
2. If transient lynx are present, negligible, short-term direct effects may occur related to disturbance (noise and mechanize equipment) during implementation of vegetation treatment. However, over the mid and long-term any short-term impacts would be offset by the positive benefits of regenerating snowshoe hare habitat for lynx foraging.
3. Travel habitat would be maintained across the LAU. Lynx, if present, are potentially transient animals traversing across the forest, thus no long-term impacts to individual lynx and their habitat are anticipated.
4. Forest roads generally have low speeds and are gravel, and do not pose a threat to lynx. No permanent road construction is proposed. Any new temporary roads constructed will be re-contoured after use.
5. Lastly, the proposed Federal actions, described under Alternative 2, are not occurring within designated critical habitat, so the project would have no effect on critical habitat.

2. Floodplains, wetlands, or municipal watersheds:

No designated municipal watersheds exist in the project area, therefore no direct or indirect

effects are anticipated, and no incremental effects exist that would cause a cumulative effect to municipal watersheds.

Wetlands and floodplains have been excluded from all of the treatment areas. Effects on wetlands and floodplains will further be mitigated because no thinning will occur within Riparian Habitat Conservation Areas (RHCAs) and PACFISH established buffer areas.

No cumulatively significant, adverse effects to floodplains or wetlands are proposed or expected for this project because cumulative effects would be most noticeable at the site scale (if they occur), becoming progressively less discernible at the sub-watershed, watershed, and sub-basin scales. Given the low degree of anticipated site-level effects, cumulative effects are expected to be negligible.

There are no impaired waterbodies [Clean Water Act Section 303(d) listed] within or directly adjacent to the project area. The Skookumchuck and SouthFork Whitebird Creek drainages are not on the 303(d) list as sediment and temperature impaired. As such, the project will have no significant effect on sediment delivery, no significant effect to reducing water quality or increasing sediment impairment. Additionally, because no activities within RHCAs are proposed, no increase in stream temperature would occur as a result of harvesting.

For all of the sixth field watersheds in the project area, the percentage of watershed area in equivalent clearcut acres range from 4% to 11%. Channels response can become a concern when commercial harvest in a watershed removes 25 to 30 percent of the forest canopy. Since current equivalent clearcut acreages in the project watersheds are well below levels of concern and the proposed project would affect 2% or less of any of the project watersheds, effects on water yield are expected to be minimal.

3. Congressionally designated areas, such as wilderness, wilderness study areas or national recreation areas:

The proposed action is not located within any of the congressionally designated areas, including wilderness, wilderness study areas, national recreation areas, and Wild and Scenic River corridors, and therefore, no direct or indirect effects, or incremental effects that would cause a cumulatively significant effect to these areas are anticipated.

4. Inventoried roadless areas or potential wilderness areas:

The project is not located within any Nez Perce National Forest Plan FEIS Appendix C Roadless Areas, Idaho Roadless Areas (36 CFR 294 Subpart C), or potential wilderness areas, and therefore, no direct or indirect effects, or incremental effects that would cause a cumulatively significant effect to these areas are anticipated.

5. Research Natural Areas:

The project area does not include land designated as Research Natural Areas, and therefore, no direct or indirect effects, or incremental effects that would cause a cumulatively significant effect to these areas are anticipated.

6. American Indians and Alaska native religious or cultural sites and Archaeological sites, or historical properties or areas:

No cultural properties eligible for the National Register of Historic Places are located within the project area. Because of the type of project and its location, the Forest Cultural Resource

Specialist has determined that this project has little likelihood to adversely affect cultural properties, and no incremental effects exist that would cause a cumulative effect to native religious or cultural sites, archaeological sites, or historical properties or areas.

Additionally, the Nez Perce Tribal Government Liaison and the Nez Perce Tribe reviewed the project and determined it would not affect Nez Perce Tribe Treaty rights or Nez Perce Tribal members' abilities to exercise those rights.

V. Interested and Affected Agencies, Organizations, and Persons Contacted

On October 25, 2011, a letter providing information and seeking public comment was mailed to 562 individuals, organizations, a variety of state and local agencies, and the Nez Perce Tribe.

Additionally, project information has also been made available at <http://www.fs.usda.gov/nezperce> under NEPA projects. A legal notice appeared in the Lewiston Tribune on November 02, 2011 inviting comments for 30 days from publication. Two comment letters were received regarding this project during the public comment period and are addressed in Appendix A.

VI. Findings Required by Other Laws

Based on my review of the actions associated with this project, I find that the Pig Foot Sanitation Salvage project is consistent with applicable Federal laws and regulations.

National Forest Management Act and Nez Perce National Forest Plan: This action is consistent the 1987 Nez Perce National Forest Plan (USDA Forest Service 1987), as amended, as required by the National Forest Management Act of 1976 because it follows the standards and guidelines contained in that plan (see project record for further information). In addition, the decision considers the best available science (36 CFR 219.35(a) [Reinstatement of the 2000 Planning Rule; 74 FR 242]).

Forest Plan Amendment 20 - PACFISH Riparian Habitat Conservation Areas (RHCAs): All activities associated with the proposed action comply with direction regarding PACFISH because the project design criteria prevent adverse modification of aquatic habitat.

Endangered Species Act: A Forest Service Fish Biologist, Wildlife Biologist, and Botanist evaluated the proposed action with regard to the Endangered Species Act as documented in the Biological Assessments, Biological Evaluations, and specialists' reports, and determined the Pig Foot Sanitation Salvage project is consistent with the Endangered Species Act. In compliance with the Endangered Species Act, the Forest Service initiated consultation with the U.S. Fish and Wildlife Service regarding the determinations of effect for Lynx habitat and the agency concurred with the determination on April 9, 2013 (Appendix B).

Clean Air Act: This project will comply with the provisions of the Clean Air Act. Any prescribed burning associated with this project will comply with state and federal air quality regulations. Compliance with procedures outlined in the North Idaho Smoke Management Memorandum of Agreement would result in no long term effects to air quality. These measures protect air quality and ensure compliance with the rules, regulations, and permit procedures of the Environmental Protection Agency (EPA) and the Idaho Department of Environmental Quality (IDEQ).

Clean Water Act and State Water Quality Laws: The Interdisciplinary Team Hydrologist has determined that this project complies with the Clean Water Act and state and federal water quality

laws, and will protect beneficial uses because this proposal will have no adverse effects to the water quality of area or downstream waters. The project area contains no water quality limited streams.

Based on the implementation of project design measures and adherence to Idaho Best Management Practices, this proposal would produce no measurable increase in temperature, and therefore would have no impacts to beneficial uses. This proposal will not affect the water quality of Skookumchuck, the South Fork of Whitebird Creek or other downstream waters.

National Historic Preservation Act: Because of the type of project and its location, the Forest Cultural Resource Specialist has determined that this project has little likelihood to adversely affect cultural properties. Therefore, this project meets the agency's responsibilities under the National Historic Preservation Act (16 USC 470), as amended, and is consistent with the *Programmatic Agreement between the Idaho State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Region 1 National Forests in Northern Idaho Regarding the Management of Cultural Resources*.

Migratory Bird Treaty Act: No substantial losses of migratory bird habitat are expected from the implementation of this proposal, nor any measurable impact on neotropical migratory bird populations as a whole. The proposed action would comply with the Migratory Bird Treaty Act.

The project complies with the U.S. Fish and Wildlife Service Director's Order #131 related to the applicability of the Migratory Bird Treaty Act to federal agencies and requirements for permits for "take." In addition, this project complies with Executive Order 13186 because the analysis meets agency obligations as defined under the January 16, 2001 Memorandum of Understanding between the Forest Service and U.S. Fish and Wildlife Service designed to complement Executive Order 13186.

American Indian Treaty Rights: The Nez Perce Tribal Government Liaison and the Nez Perce Tribe reviewed the Pigfoot Sanitation project, and determined the proposed action would not affect Nez Perce Tribe Treaty rights or Nez Perce Tribal members' abilities to exercise those rights.

Environmental Justice: The proposed action will not disproportionately impact consumers, Native American Indians, women, low-income populations, other minorities, or civil rights of any American Citizen in accordance with Executive Order 12898. No disproportionate impacts to minority or low-income populations were identified during scoping or the effects analysis.

Prime Farm Land, Range Land, and Forest Land: The proposed action complies with the Federal Regulations for prime land. The definition of "prime" forest land does not apply to lands within the National Forest System. The project area does not contain any prime range land or farm land. Federal lands would be managed with appropriate sensitivity to the effects on adjacent lands.

Energy Requirements: No unusual energy demands are required to implement the proposed action.

Other Laws or Requirements: The proposed action is consistent with all other Federal, State, or local laws or requirements for the protection of the environment and cultural resources.

VII. Administrative Review and Appeal Opportunities, and Implementation Date

This decision is subject to appeal pursuant to 36 CFR 215. A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the Lewiston Tribune, Lewiston, Idaho. It is the responsibility of the appellant to ensure their appeal is received

in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the exclusive means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

Paper appeals must be submitted to:

USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
P.O. Box 7669
Missoula, MT 59807

OR

USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
200 East Broadway
Missoula, MT 59802

Office hours: 7:30 a.m. to 4:00 p.m. (MST).

Faxed appeals must be submitted to: (406) 329-3411.

Electronic appeals must be submitted to: appeals-northern-regional-office@fs.fed.us

In electronic appeals, the subject line should contain the name of the project being appealed. An automated response will confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF).

It is the appellant's responsibility to provide sufficient project or activity specific evidence and rationale, focusing on the decision, to show why my decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

- The appellant's name and address, with a telephone number, if available;
- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C;
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
- How the appellant believes the decision specifically violates law, regulation, or policy.


If an appeal is received on this project, informal resolution meetings and/or conference calls may be scheduled between the Responsible Official and the appellant. These discussions would take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussions, please contact the Responsible Official or monitor the following website for postings about current appeals in the Northern Region of the Forest Service: <http://www.fs.usda.gov/goto/rl/appeal-meetings>.

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, five business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

VIII. Contact Person

Questions regarding this decision should be sent to Ed Koberstein, Nez Perce National Forest Supervisor's Office, 104 Airport Road, Grangeville, Idaho 83530 or by phone at (208) 983-1950 or fax at (208) 983-4042 during normal office hours [weekdays, 7:30 a.m. to 4:30 p.m. (PST)].

IX. Signature of Deciding Officer



Jeffrey S. Shinn
Salmon River District Ranger

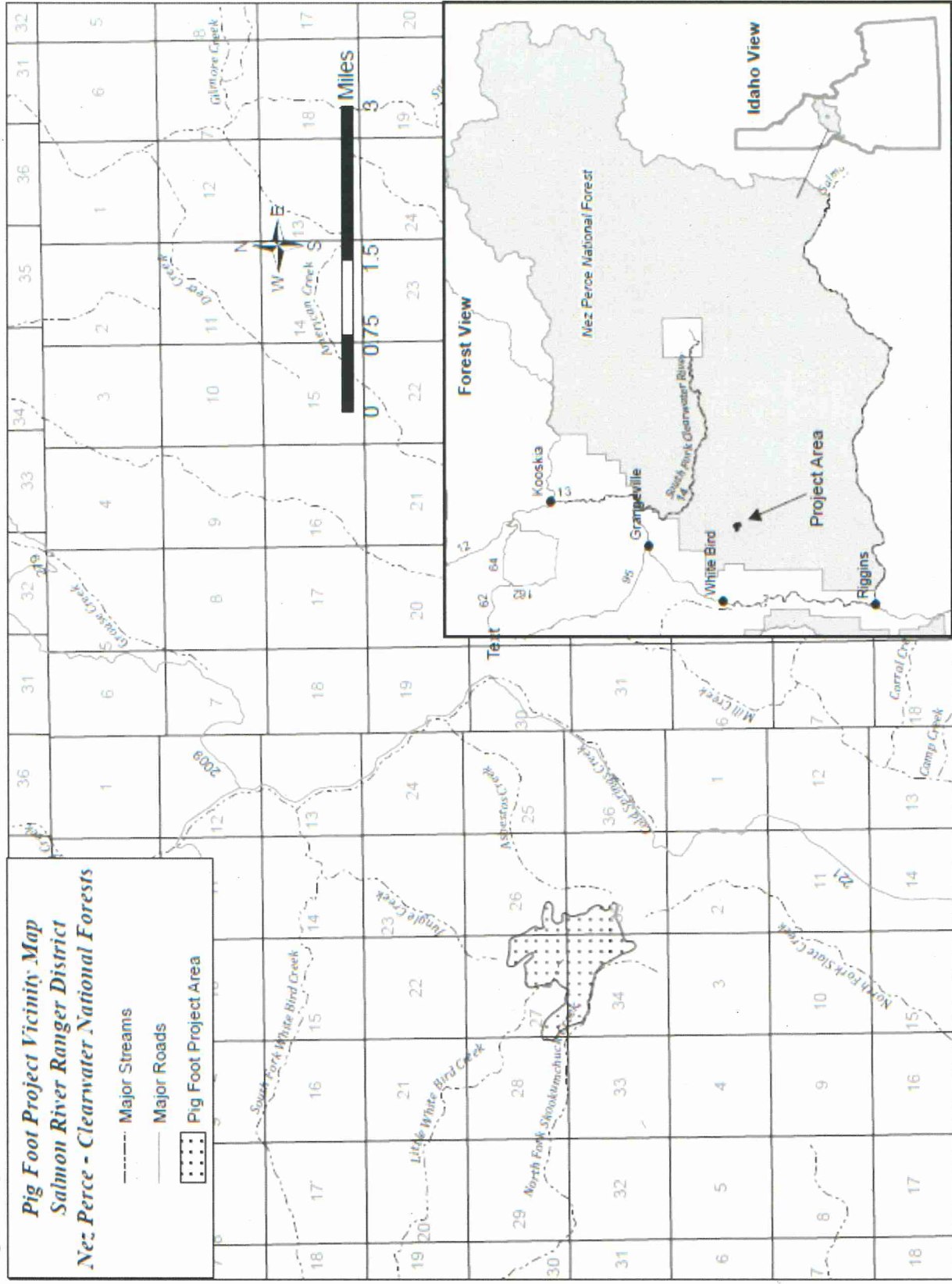
4/18/2013

Date

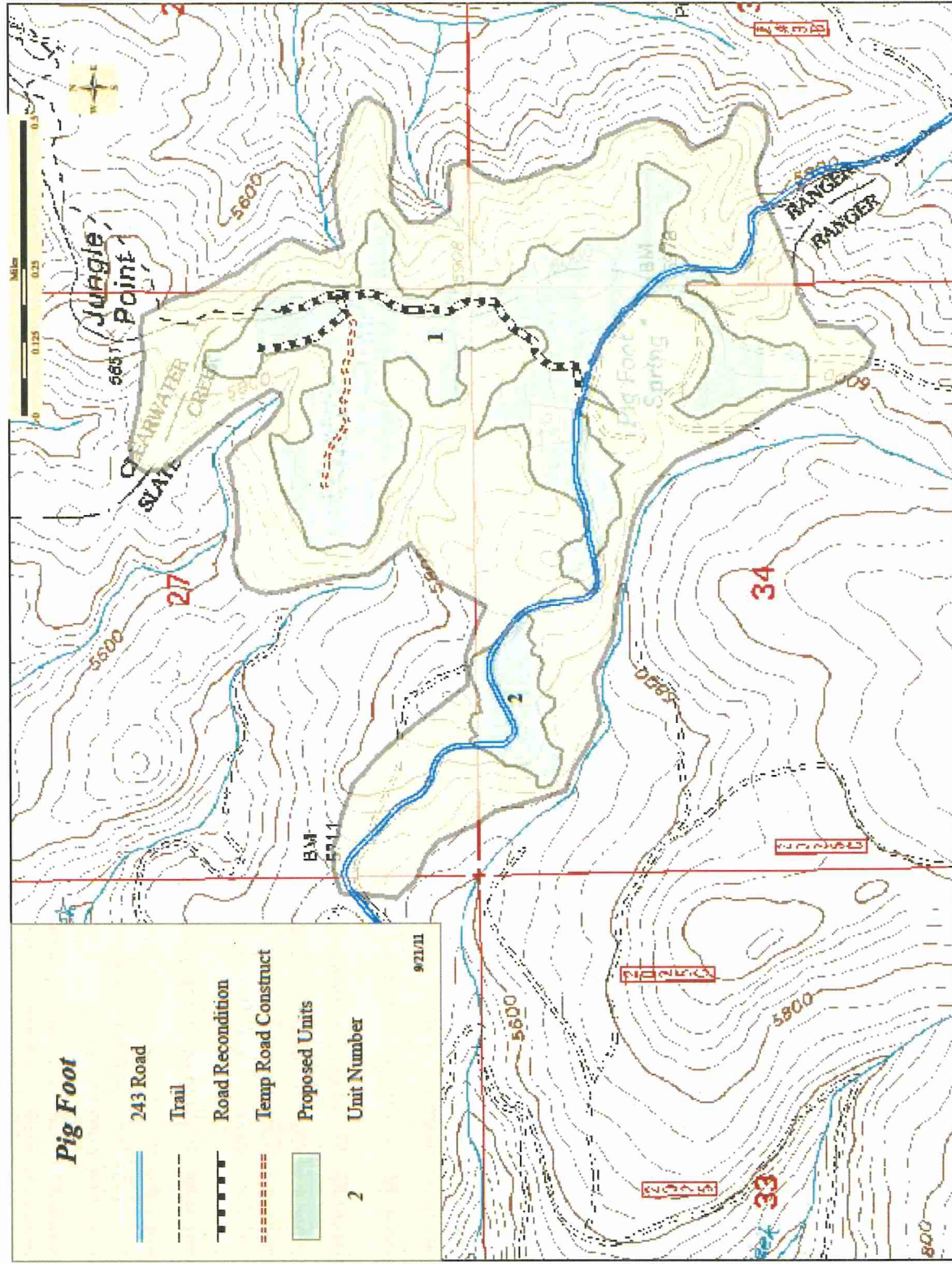
Enclosures: Maps

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Map 1. Pig Foot Project Location Map



Map 2. Pig Foot Project Treatment Area Map



Appendix A

Response to Public Comments

On October 25, 2011, a letter providing information and seeking public comment was mailed to 364 individuals, organizations, a variety of state and local agencies, and the Nez Perce Tribe. The letter was also posted on the Forest Website. A legal notice appeared in the Lewiston Tribune on November 2, 2011, inviting comments for 30 days from publication. Two letters were received regarding this project and are addressed in the following table.

Planning Participant	
Gary Macfarlane, FOC and AWR.	<p>Comment #1: The project would create an opening over 40 acres in size. That is NFMA issue is not adequately addressed in the scooping letter.</p> <p>Response #1: <i>As defined under NFMA the 40 acre opening limitation is only applicable for even-aged management practices (FSM 2400, R1 Supplement Chapter 2470 Sec. 2471.1). As it applies to this project, the silvicultural diagnosis for stand treatment is a sanitation/salvage harvest which is defined as an uneven aged, intermediate harvest method (not regeneration) for the purpose of reducing the spread of biotic pests. (Society of American Foresters Forestry Handbook 2nd Edition 1984, pg. 421).</i></p> <p>Comment #2: "Please disclose the amounts of snags, recruitment snags and down woody debris previous logging operations have left..." so that the public can determine if forest plan standards are being met.</p> <p>Response #2: <i>No previous harvest other than roadside public firewood gathering has occurred within the proposed treatment units.</i></p> <p>Comment #3: Please disclose how stands to be logged compare to old-growth criteria.</p> <p>Response #3: <i>The existing forest conditions resemble an even aged (approximately 80-100 year) lodgepole pine stand with and average diameter of 9-12 inches. A few larger diameter species exist (WL, PP, DF < 15 per acre and <20 inches DBH) and will be retained for future seed source, coarse woody debris and snag recruitment.</i></p> <p>Comment #4: Is the reason for this sale... to reduce insect and disease damage to timber stands?</p> <p>Response #4: <i>Yes. As indicated in the public scoping, field reviews of the project area by the district silviculturist determined the presence of mountain pine beetle activity and an increasing long term risk of total stand mortality due to overall stand characteristics (species composition, age class and diameter).</i></p> <p>Comment #5: Please disclose the name of any other past logging projects... and monitoring requirements for projects whose analysis areas(s) the areas to be logged under this proposal.</p> <p>Response #5: <i>No previous timber sales have occurred within the project area. Forest wide soils BMP monitoring and noxious weed</i></p>

Planning Participant
effectiveness monitoring are applicable.
Johnathan Oppenheimer, Idaho Conservation League
<p>Comment #1: The analysis should evaluate whether Old Growth stands are being targeted for salvage or sanitation logging.</p> <p>Response #1: <i>During field verification surveys no old growth was identified within the proposed treatment area.</i></p> <p>Comment #2: We are concerned that sanitation... operations could include clear-cuts or even aged regeneration logging which will remove large contiguous blocks of standing snags.</p> <p>Response #2: <i>Existing snags would be left on site including any available material needed for long term nutrient cycling, coarse woody debris, or habitat diversity. The proposed sanitation treatment is defined as an uneven aged intermediate harvest method to control the spread of insect and disease.</i></p> <p>Comment #3: The Forest Service should select logging techniques with the least amount of soil compaction and erosion. We recommend that any and all logging occur over frozen ground or dry soil, with recognition of sensitivity to nesting or denning species.</p> <p>Response #3: <i>The project design incorporates seasonal restriction to limiting operations during wet periods of the year. Wildlife surveys did not reveal the presence of any critical species or mitigation requirements for nesting or denning habitat.</i></p> <p>Comment #4: The Forest Service needs to conduct formal consultations with the Fish and Wildlife Service about the effects of this project on Lynx habitat.</p> <p>Response #4: <i>Informal consultation was completed and a letter of concurrence was received on April 9, 2013. (See Appendix B)</i></p> <p>Comment #5: We are concerned the project proposes new temporary road construction and reconstruction. The proposed action should include the obliteration of unneeded roads.</p> <p>Response #5: <i>During field review no additional road obliteration opportunities were identified within the project area.</i></p>

APPENDIX B



United States Department of the Interior U.S. Fish and Wildlife Service

Idaho Fish And Wildlife Office

1387 S. Vinnell Way, Room 368

Boise, Idaho 83709

Telephone (208) 378-5243

<http://www.fws.gov/idaho>



Rick Brazell
Forest Supervisor
Nez Perce-Clearwater National Forest
104 Airport Road
Grangeville, Idaho 83530

APR 09 2013

Subject: Pigfoot Project—Idaho County, Idaho—Concurrence
In Reply Refer To: 01EIFW00-2013-I-0180

Dear Mr. Brazell:

This letter transmits the U.S. Fish and Wildlife Service's (Service) concurrence on the effects to species listed under the Endangered Species Act (Act) of 1973 (amended) from the proposed Pigfoot project, Idaho County, Idaho. In a letter dated March 28, 2013, and received by the Service on April 1, the Nez Perce-Clearwater National Forest (Forest)¹ requested concurrence with the determination, documented in your Biological Assessment (Assessment), that the proposed action is not likely to adversely affect the Canada lynx (*Lynx canadensis*). Lynx critical habitat is not present on the Forest so none will be impacted by the project. The Forest also determined that the project will not jeopardize the continued existence of the North American wolverine (*Gulo gulo luscus*). We acknowledge this no jeopardy determination.

Description of the Proposed Action

The Salmon River Ranger District of the Forest proposes a lodgepole pine (*Pinus contorta*) sanitation/salvage treatment in the vicinity of Pigfoot Springs (headwaters of Whitebird Creek) along Forest Road 243. The project would use ground-based mechanical harvesting and commercial use of woody (biomass) material to treat 165 acres within a 500-acre project area. Residual overstory species, including western larch (*Larix occidentalis*), grand fir (*Abies grandis*), and Engelmann spruce (*Picea engelmannii*), would be retained in areas to provide opportunities for natural regeneration and snag recruitment. Existing snags would be left on site. Trees would be yarded whole, and remaining slash would be jackpot burned. Stands would be naturally regenerated; replanting may occur in some openings greater than five acres.

Road reconstruction would occur on approximately one mile of existing native surface road/trail. Upon completion of the harvest activities, this road will be restored to a trail

¹ Throughout the rest of this letter we use Forest to refer specifically to the Nez Perce portion of the Nez Perce-Clearwater National Forest.

Rick Brazell, Forest Supervisor
Nez Perce-Clearwater National Forest
Pigfoot Project

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suitable for motorized uses by vehicles less than or equal to 50 inches in width. A temporary road, up to 0.5 mile in length, will be constructed and obliterated in the same operating season as the harvest activities.

This treatment is proposed to control the spread of mountain pine beetle (*Dendroctonus ponderosae*), reduce long term risk of hazardous fuels conditions, and recover economically valuable timber prior to complete stand mortality and collapse. Existing stand conditions exhibit elevated risk of beetle activity due to age class and stocking levels. Mountain pine beetle activity is increasing throughout the acreage proposed for harvest and is rampant in areas directly adjacent to the proposed project.

Treatment activities may commence in 2013 with an estimated completion timeframe of approximately one year.

The project proposal includes measures to minimize adverse impacts to natural resources including no timber harvesting in streamside riparian habitat conservation areas (RHCAs) and adherence to the Northern Rockies Lynx Management Direction (NRLMD). A complete project description, including all minimization measures, is included in the Assessment, which is herein incorporated by reference.

Concurrence Determination

The Service's concurrence that the proposed project is not likely to adversely affect the Canada lynx is based on the following findings.

1. Lynx are unlikely to be present in the project area during implementation. The limited survey efforts to date (initiated in 2007) have resulted in no lynx detections² and there have been no recent verified lynx records on the Forest; all available evidence indicates that the Forest is not occupied by resident or reproducing lynx. However, anecdotal sightings (as recent as 2010) and pre-1999 trapping records suggest that transient lynx are occasionally present on the Forest. These lynx are thought to be animals dispersing from Canada during cyclic high population levels. Given the cyclic nature of such dispersal events, the relatively low number of anecdotal sightings of the lynx on the Forest, and the varied level of confidence regarding correctly identifying lynx via visual observations (without the benefit of evidentiary standards to verify lynx presence, the potential exists that many of these anecdotal sightings were actually bobcats (*Lynx rufus*)), the likelihood that a transient lynx would be present during project implementation is very low. In addition, should a transient lynx happen to be present in the vicinity of project activities, there is sufficient adjacent habitat available for lynx to avoid the project area. Furthermore, lynx are considered to be generally tolerant of human presence and activities (Ruediger et al. 2000, p. 1-13).³ Given these

² The Forest plans to conduct additional lynx surveys in 2013.

³ Ruediger, B., J. Claar, S. Gniadek, B. Holt, L. Lewis, S. Mighton, B. Naney, G. Patton, T. Rinaldi, J. Trick, A. Vandehey, F. Wahl, N. Warren, D. Wenger, and A. Williamson. 2000. Canada Lynx Conservation Assessment and Strategy. USDA Forest Service, USDI Fish and Wildlife Service, USDI Bureau of Land Management, and USDI National Park Service. Forest Service Publication #R1-00-53, Missoula, MT. 142 pp.

Rick Brazell, Forest Supervisor
Nez Perce-Clearwater National Forest
Pigfoot Project

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suitable for motorized uses by vehicles less than or equal to 50 inches in width. A temporary road, up to 0.5 mile in length, will be constructed and obliterated in the same operating season as the harvest activities.

This treatment is proposed to control the spread of mountain pine beetle (*Dendroctonus ponderosae*), reduce long term risk of hazardous fuels conditions, and recover economically valuable timber prior to complete stand mortality and collapse. Existing stand conditions exhibit elevated risk of beetle activity due to age class and stocking levels. Mountain pine beetle activity is increasing throughout the acreage proposed for harvest and is rampant in areas directly adjacent to the proposed project.

Treatment activities may commence in 2013 with an estimated completion timeframe of approximately one year.

The project proposal includes measures to minimize adverse impacts to natural resources including no timber harvesting in streamside riparian habitat conservation areas (RHCAs) and adherence to the Northern Rockies Lynx Management Direction (NRLMD). A complete project description, including all minimization measures, is included in the Assessment, which is herein incorporated by reference.

Concurrence Determination

The Service's concurrence that the proposed project is not likely to adversely affect the Canada lynx is based on the following findings.

1. Lynx are unlikely to be present in the project area during implementation. The limited survey efforts to date (initiated in 2007) have resulted in no lynx detections² and there have been no recent verified lynx records on the Forest; all available evidence indicates that the Forest is not occupied by resident or reproducing lynx. However, anecdotal sightings (as recent as 2010) and pre-1999 trapping records suggest that transient lynx are occasionally present on the Forest. These lynx are thought to be animals dispersing from Canada during cyclic high population levels. Given the cyclic nature of such dispersal events, the relatively low number of anecdotal sightings of the lynx on the Forest, and the varied level of confidence regarding correctly identifying lynx via visual observations (without the benefit of evidentiary standards to verify lynx presence, the potential exists that many of these anecdotal sightings were actually bobcats (*Lynx rufus*)), the likelihood that a transient lynx would be present during project implementation is very low. In addition, should a transient lynx happen to be present in the vicinity of project activities, there is sufficient adjacent habitat available for lynx to avoid the project area. Furthermore, lynx are considered to be generally tolerant of human presence and activities (Ruediger et al. 2000, p. 1-13).³ Given these

² The Forest plans to conduct additional lynx surveys in 2013.

³ Ruediger, B., J. Claar, S. Gniadek, B. Holt, L. Lewis, S. Mighton, B. Naney, G. Patton, T. Rinaldi, J. Trick, A. Vandehey, F. Wahl, N. Warren, D. Wenger, and A. Williamson. 2000. Canada Lynx Conservation Assessment and Strategy. USDA Forest Service, USDI Fish and Wildlife Service, USDI Bureau of Land Management, and USDI National Park Service. Forest Service Publication #R1-00-53, Missoula, MT. 142 pp.

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considerations, we conclude that the risk of direct effects to lynx from project implementation is discountable.

2. Because there is no evidence of resident or breeding lynx on the Forest, the project is not likely to adversely affect lynx denning or reproductive behavior.
3. One Lynx Analysis Unit (LAU) encompasses the project area: LAU 2090502. Project implementation will not increase the acres of unsuitable lynx habitat in LAU 2090502. The project will meet all NRLMD objectives, standards, and guidelines for vegetation management. Based on these findings, the Service concludes that effects to lynx habitat will be insignificant.
4. By removing the overstory of dead and dying lodgepole pine, the project will benefit transient lynx by creating conditions favorable for regenerating snowshoe hare habitat.
5. Decommissioning all temporary roads is likely to benefit the lynx by reducing the potential for humans to directly impact (e.g., through incidental trapping) transient lynx, if present, by eliminating motorized access to suitable lynx habitat. Road improvement and reconstruction will occur on existing roads in the project area. These activities are not expected to significantly affect transient lynx or lynx habitat.
6. Maintaining RHCAs as no harvest zones will continue to provide adequate travel corridors for transient lynx, if present, to move securely through the project area.

This concludes informal consultation on the proposed action under section 7 of the Act. If the proposal addressed in this letter is modified, environmental conditions change, or additional information becomes available regarding potential effects on listed species, you should verify that your conclusions are still valid.

Thank you for your continued interest in the conservation of threatened and endangered species. Please contact Clay Fletcher at (208) 378-5256 if you have questions concerning this letter.

Sincerely,



 Brian T. Kelly
State Supervisor

cc: NMFS, Moscow (Ries)
IDFG, Lewiston (Hennekey)
USFS, Grangeville (Clark)
NPT, Lapwai (Lopez)